

Exhibit 36

In The Matter Of:
Darcy Corbitt, Destiny Clark, and Jane Doe v.
Hal Taylor, etc., et al.

*Destiny Clark
November 8, 2018*

*Baker Realtime Worldwide Court Reporting & Video
250 Commerce Street
Third Floor, Suite One
Montgomery, Alabama 36104
www.BakerRealtime.com*

5 CIVIL ACTION NO.: 2:18-CV-00091-MHT-GMB

7 DARCY CORBITT, DESTINY CLARK, and JANE DOE,
8 Plaintiffs,
9 v.
10 HAL TAYLOR, in his official capacity as
11 Secretary of the Alabama Law Enforcement
12 Agency, et al.,
13 Defendants.

15 DEPOSITION OF DESTINY CLARK

16 | November 8, 2018

18 Taken before Elaine Scott, CCR,
19 Commissioner for the State of Alabama at
20 Large, in the Law Offices of the Alabama
21 Attorney General, 501 Washington Avenue,
22 Montgomery, Alabama, on Thursday, November 8,
23 2018, commencing at approximately 9:00 a.m.

1 A P P E A R A N C E S

2

3 FOR THE PLAINTIFFS:

4 AMERICAN CIVIL LIBERTIES UNION FOUNDATION

5 Gabriel Arkles

6 125 Broad Street

7 18th Floor

8 New York, New York 10004

9

10 ALABAMA CIVIL LIBERTIES UNION FOUNDATION

11 Brock Boone

12 Randall C. Marshall

13 P.O. Box 6179

14 Montgomery, Alabama 36106

15

16 FOR THE DEFENDANTS:

17 OFFICE OF THE ATTORNEY GENERAL, STATE OF

18 ALABAMA

19 Brad A. Chynoweth

20 501 Washington Avenue

21 Montgomery, Alabama 36130

22

23

1 A P P E A R A N C E S (continued)

2

3 ALSO PRESENT:

4 **Meredith Barnes**

5

6 COURT REPORTER:

7 **BAKER REALTIME WORLDWIDE REPORTING & VIDEO**

8 **Elaine Scott**

9 **250 Commerce Street**

10 **Third Floor, Suite One**

11 **Montgomery, Alabama 36104**

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23

A. Destiny Clark.

2 Q. When were you born?

3 A. April 26, 1984.

4 Q. And that would make you how old?

5 A. Thirty-four. But a lady never
6 tells her age.

7 Q. Well -- I'm going to submit
8 Defendant's Exhibit 1.

9 (Defendant's Exhibit Number 1 was
10 marked for identification. A copy
11 is attached.)

12 Q. Is this an accurate copy of your
13 birth certificate?

14 A. Yes, it is.

15 Q. And what is the name on the birth
16 certificate?

17 A. The name on the birth certificate
18 is my given name at birth. It's [REDACTED]

20 Q. And what is the sex on the birth
21 certificate?

22 A. The sex I was assigned at birth is
23 male.

1 Q. So where did you grow up?

2 A. I grew up in Odenville, Alabama.

3 Q. That's in St. Clair County?

4 A. It is.

5 Q. Did you go to high school there?

6 A. I did.

7 Q. Where did you go to high school?

8 A. St. Clair County High School.

9 Q. What did you do after you graduated
10 high school?

11 A. I volunteered with a fire
12 department and so I worked with an ambulance
13 and the sheriff's office for a little bit.
14 And then I moved to Birmingham.

15 Q. Approximately when did you move to
16 Birmingham?

17 A. Oh, goodness. I graduated in -- so
18 '04, late '04.

19 Q. And what did you in Birmingham
20 around 2004?

21 A. I had a list of jobs from
22 servers -- mainly food industry.

23 Q. And what did you do after that?

1 Q. And where did you move to?

2 A. I moved back home, back to
3 St. Clair County.

4 Q. So you moved to St. Clair County in
5 approximately 2011?

6 A. Sounds right, yes.

7 Q. And when did you move to the
8 address that is on your current driver's
9 license?

10 A. That was five years ago. We're
11 going into our sixth year at our -- at the
12 current house.

13 Q. What did you do in 2011 when you
14 returned to St. Clair County?

15 A. So I immediately started working
16 for Cracker Barrel Old Country Store.

17 Q. Okay. And how long did you work at
18 that job?

19 A. I'm currently still employed there.

20 Q. So you've worked continuously at a
21 Cracker Barrel in St. Clair County from 2011
22 to the present?

23 A. Yes. I have two jobs currently.

1 Q. What is your second job?

2 A. I am a project recruiter and case
3 manager for Birmingham AIDS Outreach as well.

4 Q. You said project recruiter --

5 A. Uh-huh.

6 Q. -- and case manager?

7 A. And a case manager.

8 Q. For -- what was the organization?

9 A. Birmingham AIDS Outreach.

10 Q. Is that paid or volunteered?

11 A. It is paid.

12 Q. How many times a week do you work
13 for that organization?

14 A. I work there five days a week,
15 full-time, forty hours.

16 Q. So your position at Cracker Barrel
17 is a part-time position?

18 A. It is part-time now.

19 Q. And so you work primarily on
20 weekends at Cracker Barrel?

21 A. Weekends. Some days I go in after
22 I leave my other job.

23 Q. Do you have any plans on leaving

1 the state any time in the future?

2 A. I do not.

3 Q. So your current intent is to remain
4 in the state for the foreseeable future?

5 A. This is my home, yes.

6 Q. I'm going to introduce Defendant's
7 Exhibit 2.

8 (Defendant's Exhibit Number 2 was
9 marked for identification. A copy
10 is attached.)

11 Q. Can you tell me what Exhibit 2 is?

12 A. It is my state driver's license.

13 Q. And what is the sex designation on
14 the driver's license?

15 A. It is the sex that I was assigned
16 at birth, male.

17 Q. And just for purposes of this
18 deposition, when I use the word sex
19 designation I'm just referring to the field on
20 your driver's license that says sex and
21 whether it says M or F. That's what I mean by
22 sex designation. Is that fair?

23 A. That's fair.

1 Q. I'm going to introduce Defendant's
2 Exhibit 3.

6 Q. Can you tell me what this document
7 is?

8 A. This is the order from Judge Mike
9 Bowling when I legally changed my name.

10 Q. And when is the date of this
11 document?

12 A. April 17th, 2015.

13 Q. What is your current gender
14 identity?

15 A. I am a female.

16 Q. When did you first become aware
17 that you were a female?

18 A. I have known from an early age that
19 I've been female. I think maybe five is when
20 I really realized I was female.

21 Q. Is there an age where one can say
22 that your awareness of your identity was
23 complete?

1 A. Can you -- what do you mean by your
2 question?

3 Q. Thank you for asking that. When
4 were you first fully aware that you were
5 female?

6 A. Safely I would say I was fully
7 aware that I was not like my brother and my
8 cousins when I was about six. I was never the
9 type to go and do boy things. I would stay
10 inside with my grandmother and cook, make
11 quilts. When we did play, we would play super
12 heroes. I would always be the female
13 character. My favorite character was Zena.
14 So I would pretend to be Zena. So at an early
15 age. I would safely say about six.

16 Q. Do you identify yourself as
17 transgender?

18 A. I identify myself as a transgender
19 female. However, I am a female.

20 Q. Can you explain, in your own words,
21 what it means when you say you are a
22 transgender female?

23 A. So in -- what I am, my gender

1 identity, is a female, a trans female, meaning
2 that I was assigned male at birth, but I have
3 since transitioned to female.

4 Q. Can you explain the significance of
5 legally changing your name in that process?

6 A. The significance, I present as
7 female. People in my everyday life respect me
8 as a female. Strangers look at me, they see
9 female. [REDACTED] is not a male name -- or is not
10 a female name, so I wanted a name that matched
11 who I was. And so -- and I also still wanted
12 to honor my mom and my dad, so that is where I
13 left my middle name and my last name. But
14 Destiny is the name that I chose.

15 Q. When did you first obtain an
16 Alabama driver's license?

17 A. Oh, goodness. When I was sixteen.
18 It's been a few years ago.

19 Q. So when you were sixteen. And how
20 old were you when this name change was
21 completed?

22 A. That was in 2015. Thirty -- I
23 just -- twenty-nine, thirty.

1 Q. When you first obtained your
2 driver's license at sixteen, what was the sex
3 designation on your driver's license?

4 A. The sex that I was assigned at
5 birth was male.

6 Q. Did you identify with the sex on
7 your license at that time?

8 A. I presented as male at that time.

9 Q. Did you consider yourself to be a
10 male at that time?

11 A. I have never considered myself to
12 be a male. I have always considered myself to
13 be a female. However, at the time of my
14 sixteenth birthday when I obtained my driver's
15 license I had to identify as male.

16 Q. What do you mean when you say you
17 had to identify as male?

18 A. My parents and family would not
19 accept me transitioning.

20 Q. I see. When did you move out from
21 living with your parents?

22 A. When I was eighteen years old.

23 Q. Was there a time when you were able

1 to establish your identity independently as
2 fully female?

3 A. So in a transgender person's life
4 they have many stages of coming out. I
5 originally came out as gay to hide the stigma
6 that was related to transpeople. Transpeople
7 have never been openly accepted in the world,
8 and this is Alabama. So I originally came out
9 as male. I started to secretly take hormones
10 and dress privately as female -- in my own
11 home as female. Several of my close friends
12 knew, but outwardly I still presented as a
13 male.

14 Q. And you referred to stages of
15 coming out.

16 A. Uh-huh.

17 Q. Can you just take me through the
18 stages of your becoming or recognizing
19 yourself as female?

20 A. Can you elaborate on your
21 question?

22 Q. So you said that there were certain
23 stages.

1 A. Yes.

2 Q. And I believe you said that the
3 first stage was identifying as a gay male?

4 A. Yes. At first I identified as a
5 gay male.

6 Q. And can you recall approximately
7 what age you were when you reached that first
8 stage?

9 A. Eighteen. That was right after I
10 moved out of my parents' house.

11 Q. And what would have been the next
12 stage after that?

13 A. The next stage as far as when did I
14 publicly or --

15 Q. I think the next stage -- in
16 whatever order. The next stage in your
17 awareness as you said that -- as I understand
18 it you said it's a process.

19 A. Uh-huh.

20 Q. And I'm just asking you
21 chronologically to take me through this
22 process.

23 A. Sure. So, like I said, I've always

1 known I was female. I did not know another
2 transgender individual until I moved to
3 Birmingham, and then I could actually put
4 something on there. I was about twenty-one
5 when I met another trans individual and could
6 sit down and talk with her, and we connected.
7 It was just like the light bulb came on.

8 Q. And what do you mean by that when
9 you say the light bulb came on?

10 A. So I didn't feel like I was
11 mentally ill. I felt like I knew what I was.
12 I knew it felt like I knew who I was. It was
13 just getting to the point where I could be who
14 I am.

15 Q. Would it be accurate to say that
16 when you were twenty-one and you met this
17 individual and had these conversations you
18 became aware of what you had always been?

19 A. So are you asking if when I met
20 this person is that when I started to identify
21 or what is your question?

22 Q. When you understood what it meant
23 to be a transgendered individual.

1 A. Yeah, I would safely say that was
2 when I --

3 Q. When you understood what it was to
4 be a transgender individual?

5 A. Yes.

6 Q. And that you were such an
7 individual?

8 A. Yes.

9 Q. And that you were a female?

10 A. Yes.

11 Q. So that was approximately when you
12 were twenty-one?

13 A. Uh-huh.

14 Q. And you had an Alabama driver's
15 license at that time?

16 A. I did.

17 Q. And the sex on that license was
18 male?

19 A. It was male, the --

20 Q. The sex -- I'm sorry. The sex
21 designation on your license at that time was
22 male?

23 A. Correct. It was my assigned birth.

1 Q. What was the next stage as you put
2 it after the occasion when you were twenty-one
3 and met this individual and had an
4 understanding of what it meant to be
5 transgender? Would there be another stage or
6 development after that?

7 A. For me personally -- each
8 individual has different stories. For me
9 personally, I started to transition and then
10 stopped for one reason or the other, whether
11 it be fear of rejection from society, fear of
12 rejection from family, fear of rejection from
13 friends. So I kept my trans identity very
14 private until I was about twenty-six, twenty-
15 seven.

16 Q. And when you say you started your
17 transition and stopped it, are you referring
18 to publicly identifying yourself as --

19 A. No. I have always dressed
20 privately and with friends -- one of the ways
21 that I made cash at that point in time was I
22 would perform at local drag shows. So I've
23 always been known as Destiny, but when I

1 say -- when I started and stopped my
2 transition, there were times when I would
3 start hormones and then for one reason or the
4 other I would stop, whether it be financial
5 because medical insurance wasn't steadily
6 available or I just could not get the hormones
7 at the time for one reason or the other.

8 Q. And so this was around the time
9 when you were living in Birmingham in 2004?

10 A. Uh-huh.

11 Q. And you would dress as a woman in
12 drag shows?

13 A. Yes.

14 Q. Would you dress as a woman in your
15 everyday life?

16 A. Not at work, but if I was at home,
17 privately I identified as female.

18 Q. And what would be the next stage in
19 your transition then from this time period?

20 A. After I moved to North Carolina and
21 then back, I found my current doctor,
22 Dr. Weisberg. I started to see him for
23 hormone therapy. I then went to Dr. Keith

1 Abrams for my letter to start hormones. You
2 have to legally see a psychiatrist in the
3 State of Alabama before you are able to start
4 hormones. That's when I was diagnosed with
5 gender dysphoria and I legally started my
6 hormones, and I have been on hormones ever
7 since and I will be on hormones every day for
8 the rest of my life.

9 Q. Are you aware that your attorneys
10 have objected to you revealing any of these
11 medical conditions about yourself?

12 A. Can you -- what do you mean by
13 that?

14 Q. Are you aware that the state
15 requested the plaintiffs identify medical
16 conditions about themselves, such as whether
17 the plaintiffs had been diagnosed with gender
18 dysphoria and that your attorneys declined to
19 answer those questions?

20 A. Uh-huh.

21 MR. ARKLES: Can we take a break?

22 MR. CHYNOWETH: Yes.

23 (Break taken.)

1 MR. ARKLES: So just to state, we
2 don't have any objections to the questions
3 that you've been asking today. They are
4 different than the questions in the
5 interrogatories and we feel -- we have no
6 objections to the questions you've been asking
7 thus far.

8 MR. CHYNOWETH: Okay.

9

10 BY MR. CHYNOWETH:

11 Q. I believe where we left off you
12 were discussing when you had returned to
13 St. Clair County from Asheville, North
14 Carolina; is that correct?

15 A. We were talking about my medical
16 history and Dr. Abrams and Dr. Weisberg.

17 Q. I'm going to ask you some questions
18 and your attorneys might make an objection.
19 Can you state whether you have been diagnosed
20 with gender dysphoria disorder?

21 A. From Dr. Keith Abrams.

22 Q. When was that?

23 A. Oh, goodness. I do not recall the

1 exact -- it was right when I began legally my
2 legal/medical transition.

3 Q. That would have been sometime after
4 2010 or 2011 when you returned to the state?

5 A. I think so, yes, correct. But,
6 again, I don't know the exact date. So I --
7 if I -- yeah. I can get the information. I
8 just don't know it right off the top of my
9 head.

10 Q. Where is Dr. Abrams located?

11 A. He is located in Birmingham.

12 Q. When you returned -- did you obtain
13 a North Carolina license when you were living
14 in North Carolina?

15 A. I did not have -- I kept my Alabama
16 state license.

17 Q. So you -- have you had an Alabama
18 driver's license continuously since the age of
19 sixteen?

20 A. Yes, I have.

21 Q. And at all times the sex
22 designation on that license was M?

23 A. Yes, it was.

1 government identification document besides
2 your Alabama driver's license?

3 A. My Alabama driver's license, my
4 birth certificate, my Social Security card.

5 Q. But you have always been aware that
6 your Alabama license had M as the sex
7 designation on it?

8 A. Yes. It's never changed.

9 Q. Was there a time where it first
10 bothered you that your sex on your license was
11 M?

12 A. Yes, when I was sixteen when I got
13 the driver's license.

14 Q. It has bothered you ever since that
15 time?

16 A. Very much so.

17 Q. Can you state your understanding of
18 the state's policy for when you can change
19 your sex on a driver's license?

20 A. So the policy states, when I was
21 finally able to read the policy -- and I do
22 not know this word-by-word -- once a person
23 has gender-confirming surgery. It does not

1 state what gender-confirming surgery you have
2 to have, so --

3 Q. Can you explain to me in your own
4 words how your inability to change the sex on
5 your driver's license has harmed you?

6 A. Sure. I try not to show my ID at
7 all. It's a pain in the butt to show my ID.
8 People look at it differently. There was a
9 time I was pulled over by a police officer as
10 we were leaving for vacation. We left late at
11 night so we can get there early in the
12 morning. The demeanor of the officer changed
13 when the officer realized that I identified as
14 female but my driver's license says male.

15 If we go out to a restaurant and I
16 order drinks, I try to avoid showing my ID at
17 all costs. So I try not to drink socially
18 unless I know the bartender or the person
19 knows me and knows that I'm a legal adult.

20 This recent instance is this past
21 Tuesday during voting. I presented as
22 female. I am a female. The clerk at the
23 polling place referred to me with male

1 pronouns and called me a sir in front of fifty
2 or so people.

3 So it's very dangerous for a
4 transperson to have that identification
5 because of the way people treat you and the
6 way -- the officer easily could have been
7 worse than what he was. If someone would have
8 heard the polling person call me sir and refer
9 to me with male pronouns and they wanted to
10 cause a ruckus outside of the polling place,
11 it's a danger to myself.

12 Q. I'm going to ask you some questions
13 about some of the allegations in the
14 complaint, and I'm going to give you a copy
15 for your reference. I'm not going to put it
16 in as an exhibit, if that's okay with you.

17 MR. ARKLES: That's fine.

18 A. What page are you starting from?

19 Q. Can you turn to paragraph four?
20 And I believe we just covered some of this,
21 but do you see in paragraph four where it says
22 Ms. Clark avoids lawful activities that could
23 lead her to have to show her license?

1 A. Uh-huh.

2 Q. Can you tell me what that
3 allegation is based on?

4 A. Well, the -- it's not an
5 allegation. It's those events that I just
6 previously described to you: Being pulled
7 over by a police officer; I don't show my ID
8 at grocery stores to buy alcohol; I don't go
9 to places where I would be required to show my
10 ID; just this past week with voting. So those
11 are some of the things.

12 Q. So when you voted on Tuesday you
13 used your Alabama driver's license as your
14 photo ID?

15 A. I do. It was this photo -- this
16 driver's license right here.

17 Q. And you're pointing to Defendant's
18 Exhibit 2?

19 A. My -- Exhibit Number 2.

20 Q. Can you turn to page 15? Does it
21 say in paragraph 77 that you have corrected
22 your gender with the Social Security
23 Administration?

1 A. Yes, it does.

2 Q. What did that process involve?

3 A. The process involved I took the
4 probate order from Judge Bowling to the Social
5 Security office in Trussville. The nice lady
6 behind the desk said I assume you would like
7 me to change this from male to female, and I
8 said yes, please. She changed it right then
9 and there.

10 Q. So the only thing that was required
11 was the proof of your change of name?

12 A. Correct.

13 Q. Do you see paragraph 78 where it
14 says Ms. Clark has tried to change the gender
15 listed on her Alabama license multiple times?

16 A. I do.

17 Q. Do you recall how many times you
18 have tried to change the gender on your
19 license?

20 A. Three. And then I stopped.

21 Q. Can you tell me when you recall the
22 first time was?

23 A. The first time was shortly after I

1 changed my name legally.

2 Q. So that would have been in
3 approximately April of 2015?

4 A. Correct.

5 Q. Where was that?

6 A. That was in Pell City.

7 Q. Can you tell me what happened when
8 that happened?

9 A. Sure. I went to the driver's
10 license office, and they sent me downstairs to
11 the state examiner. The state examiner then
12 told me I had to contact the Montgomery
13 office. I contacted the Montgomery office,
14 and that was when I first spoke with
15 Ms. Eastman. That was when she said it's a
16 simple process. All I have to do is backspace
17 the M and put an F and the next day you're
18 ready to get your driver's license changed. I
19 just need the documents from your doctor.
20 That is when I sent all of the information I
21 had, plus my letter from my doctor. And
22 that's when it was denied the first time.

23 Q. Can you tell me any other details

1 A. Yes, Pl. I apologize.

2 Q. The letter in Pl. So Dr. Bowling
3 in that letter refers to a surgical procedure
4 related to gender transformation on March 2nd,
5 2016. Is that referring to breast
6 augmentation surgery?

7 A. That is correct.

8 Q. Do you recall -- so you recall a
9 second time in which you attempted to have
10 your sex changed on your driver's license?

11 A. Yes.

12 Q. And Pl was submitted in connection
13 with that second request?

14 A. Correct.

15 Q. Do you -- can you tell me the
16 details of that process?

17 A. So I sent this -- this to
18 Ms. Eastman. I did not give her any further
19 information other than this, and that is when
20 she says, well, if you have it, we can do it.
21 And I sent it to her and I did not hear
22 anything from her. That was the second time I
23 called. Two days later without hearing

1 anything from anyone from earlier I called and
2 spoke with someone who was under Ms. Eastman.
3 And then she said Ms. Eastman called the
4 doctor's office without my permission to
5 receive information about my medical care, and
6 that was when Ms. Eastman then denied the
7 change again.

8 Q. Do you recall any discussions with
9 Ms. Eastman about what kind of medical
10 documentation would be sufficient to have your
11 sex changed on your license?

12 A. She said the full surgery. So the
13 full surgery for me is breast augmentation.

14 Q. What did you understand her to mean
15 by full surgery?

16 A. My understanding was that she
17 wanted the full surgery. So for my full
18 surgery, my full surgery was breast
19 augmentation. The only thing I can assume
20 that she was thinking was she wanted that I
21 have the full sexual reassignment surgery.

22 Q. And do you understand what full
23 sexual reassignment surgery means?

1 A. So, again, sexual reassignment, the
2 full surgery is different for different
3 individuals. For myself the full surgery
4 was -- ended at my breast augmentation.

5 Q. Do you understand what Ms. Eastman
6 meant by full sex reassignment surgery?

7 A. I can only assume she meant that
8 she wanted me to have the full sexual
9 reassignment surgery.

10 Q. Which would be what?

11 A. It would mean that I would have to
12 go through a full sex change.

13 Q. And do you understand what that
14 process entails?

15 A. I do.

16 Q. So we've talked about two attempts
17 to change your driver's license in which you
18 had conversations with Ms. Eastman. Has there
19 been any other attempt to change your license?

20 A. There has not.

21 Q. So can you tell me whether the
22 allegations in paragraphs 79 through 85 refer
23 to the first or the second of those

1 attempt to change the sex on your license you
2 sent P1 as well as P2 again?

3 A. Correct.

4 Q. In paragraph 87 does the complaint
5 refer to a traffic stop by a police officer in
6 Odenville?

7 A. It does.

8 Q. Do you recall what year that was?

9 A. I do not. It was two or three
10 years ago. We were -- myself, my sister, my
11 niece, and my boyfriend were going down to see
12 my mother who lives in south Alabama.

13 Q. And were you required to show your
14 driver's license in connection with that
15 traffic stop?

16 A. I was. This is the traffic stop
17 that I previously told you about earlier.

18 Q. Correct. Can you just take me
19 through the details of that incident?

20 A. Sure. So we left late at night
21 because we wanted to drive all night to be
22 there all day to get on the beach. Pulled out
23 of the street we live on. My sister and I

1 live in the same subdivision. We pulled out.
2 And I noticed a car behind me. It was late at
3 night. The officer waited until right before
4 his jurisdiction ended. Here's the parking
5 lot. Here's the sign that said his
6 jurisdiction ended in a different city. And
7 they pulled me over. And the demeanor of the
8 officer was really nice, where are you headed
9 to, just checking things, it's kind of out
10 late for somebody to be leaving, I just want
11 to be sure everything is okay, can I see your
12 driver's license. I said sure. I gave him my
13 driver's license. He came back. His demeanor
14 was completely changed. At one point in time
15 he told me to slow down, shouldn't be out this
16 late. I'm like okay. So the demeanor of the
17 officer quickly changed when he saw the
18 driver's license.

19 Q. And you believe that this was the
20 result of seeing the sex designation on your
21 driver's license?

22 A. I'm one hundred percent positive.
23 Odenville is a very small town and it's very

1 viewable?

2 A. Yes, there are.

3 Q. And those are things related to
4 your activity as a transgender activist?

5 A. Yes.

6 Q. That's all. I'm done with that
7 line of questioning.

8 Can you explain what you mean by
9 being a transgender activist?

10 A. And I shouldn't say transgender
11 activist because I'm not an activist just for
12 transpeople. I'm an activist for the LGBTQ
13 people and the LGBTQ community.

14 Q. And does that involve your
15 membership in certain organizations?

16 A. It does.

17 Q. And what are some of those
18 organizations?

19 A. I am currently the president of
20 Central Alabama Pride, the largest and oldest
21 LGBTQ Pride organization in Alabama. I'm also
22 queen for the Magic City Sisters of Perpetual
23 Indulgence.

1 Q. Do you understand that you could
2 obtain a U.S. passport that would designate
3 your sex as female?

4 A. According to this? I've not ever
5 known it to be, so this is a first time seeing
6 this. I've never had the need for a passport.

7 Q. Would you like to have a passport
8 that designated your sex as female?

9 A. I would like to have a driver's
10 license that designate it. I mean, I have no
11 plans to travel so I wouldn't see the need for
12 a passport.

13 Q. Well, my question was would you
14 like to have a passport that said that your
15 sex was female on it?

16 A. I don't see a need for it because I
17 have no plans to travel, and I don't leave the
18 country.

19 Q. Can you use a passport for things
20 other than travel?

21 A. Well, I assume you can. It is a
22 United States document.

23 Q. If you wanted to obtain a passport,

1 And then the third time was after the breast
2 augmentation.

3 Q. Okay. Thank you. And how many
4 years have you worked in the food industry?

5 A. Since I was eighteen. So it's been
6 a good many years, thirteen plus.

7 Q. And in the course of your work in
8 the food industry, do you need to verify
9 people's age before serving them alcohol?

10 A. Yes.

11 Q. And how many times has somebody
12 presented a passport to you to verify their
13 age in those years?

14 A. I have never had anyone to present
15 a passport for age verification.

16 Q. If somebody did show you a passport
17 to verify their age, how would you react to
18 that?

19 A. It would kind of shock me because
20 it's never been done, but -- it would take me
21 a little bit longer to find where the birth
22 date is because I have never looked at the
23 passport.

1 Q. Thank you. And could you describe
2 how you understand the risk to yourself when
3 you post on Facebook about a transgender
4 event?

5 A. So the risk to myself on Facebook,
6 there are keyboard warriors, and I can take
7 keyboard warriors. Those don't necessarily
8 mean that I'm going to be physically harmed.
9 They can't come through the computer and punch
10 me in the face.

11 Q. Could you describe what you mean by
12 keyboard --

13 A. Keyboard warriors are those who
14 post awful things about transpeople, trans
15 violence, who -- I think one of my emails I've
16 gotten is freak, I'm going to kill you, I'm
17 going to hang you. Those are just some of the
18 messages.

19 Q. Okay. And how is that different
20 from the risk that you anticipate when you
21 share your license with somebody who is right
22 in front of you?

23 A. If I show them right in front of

1 me, it's a great risk because they see it.
2 We're feet from each other. The harm is right
3 there.

4 Q. What do you mean by right there?

5 A. It's in the two feet vicinity
6 from -- if someone wants to see that and wants
7 to commit a violent crime, they can do so.

8 Q. Okay. And what is the risk that
9 you perceive to yourself when you are
10 participating in -- well, I'm sorry. Withdraw
11 that.

12 When you serve as queen with the
13 Sisters of Perpetual Indulgence what sort of
14 events do you appear at?

15 A. The only events that we've ever
16 really appeared at that -- when I have been
17 queen has been LGBTQ events to raise funds for
18 HIV awareness.

19 Q. Okay. And is it fair to say they
20 are a lot of LGBTQ people at those events?

21 A. It's predominantly LGBTQ people and
22 their allies.

23 Q. And so what's the risk that you

1 perceive to yourself when you appear publicly
2 at those events?

3 A. At those events I don't -- I don't
4 feel like I'm at harm because I do have enough
5 people that if something were to happen I
6 would be quickly defended.

7 Q. And how is that different from the
8 risk that you perceive when showing your
9 driver's license to a stranger?

10 A. A stranger, I don't know how
11 they're going to react with that. There's
12 always the risk of violence. So if they see
13 that and they choose to be -- I'm here in the
14 south -- there are really -- there's a lot of
15 hate groups. So if one of them particularly
16 wants -- is a hate -- part of that hate group
17 and I don't know it and they ask for the ID
18 it's very simple that they could commit
19 violence right there, beat me up, shoot me, do
20 something.

21 MR. ARKLES: Thank you. Those are
22 all of my questions. Do you have any follow-
23 ups?